

Defendants.

[illegible]

**DECLARATION OF SCOTT B. GILLY IN SUPPORT OF PLAINTIFF'S MEMORANDUM  
OF LAW IN OPPOSITION TO COUNTY DEFENDANTS' MOTION  
FOR SUMMARY JUDGMENT**

4. Attached hereto as Exhibit 3 is a true and correct copy of the Declaration of Georgina Morgenstern in Support of Her Reply to Defendants' Opposition to her Motion for a Preliminary Injunction, with the exhibits attached thereto, dated January 30, 2004.

5. Attached hereto as Exhibit 4 is a true and correct copy of the Affidavit of Georgina Morgenstern in Support of Plaintiff's Rule 56.1 Counter-Statement of Material Facts in Dispute, dated October 20, 2007.

6. Attached hereto as Exhibit 5 are true and correct copies of pages from the transcript of the deposition of Patricia Bourne, taken on April 13, 2007.

7. Attached hereto as Exhibit 6 are true and correct copies of pages from the transcript of the deposition of Patricia Bourne, taken on June 12, 2007.

8. Attached hereto as Exhibit 7 are true and correct copies of pages from the transcript of the deposition of Anthony Cancellieri, taken on April 18, 2007.

9. Attached hereto as Exhibit 8 are true and correct copies of pages from the transcript of the deposition of Timothy Corr, taken on November 9, 2006.

10. Attached hereto as Exhibit 9 are true and correct copies of pages from the transcript of the deposition of John P. Donnelly, taken on April 11, 2007.

11. Attached hereto as Exhibit 10 are true and correct copies of pages from the transcript of the deposition of Deanna Huminski, taken on June 12, 2007.

12. Attached hereto as Exhibit 11 are true and correct copies of pages from the transcript of the deposition of Karl Kampe, taken on February 23, 2007.

13. Attached hereto as Exhibit 12 are true and correct copies of pages from the transcript of the transcript of the deposition of Michael Levine, taken on August 24, 2006.

14. Attached hereto as Exhibit 13 are true and correct copies of pages from the transcript of the deposition of Georgina Morgenstern, taken on August 3, 2006.

15. Attached hereto as Exhibit 14 are true and correct copies of pages from the transcript of the deposition of Richard Siegel, taken on September 20, 2006.

16. Attached hereto as Exhibit 15 are true and correct copies of pages from the transcript of the deposition of Neal Stone, taken on December 6, 2004.

17. Attached hereto as Exhibit 16 are true and correct copies of pages from the transcript of the deposition of Seth Weiss, taken on February 6, 2007.

18. Attached hereto as Exhibit 17 is a true and correct copy of Defendants' Initial Disclosures, dated November 3, 2004.

19. Attached hereto as Exhibit 18 is a true and correct copy of Plaintiff's Letter to Defendants, dated September 19, 2007.

20. Attached hereto as Exhibit 19 is a true and correct copy of Plaintiff's Supplemental Initial Disclosures, dated September 17, 2007.

21. Attached hereto as Exhibit 20 is a true and correct copy of Defendants' Letter to Plaintiff, dated September 19, 2007.

22. Attached hereto as Exhibit 21 is a true and correct copy of documents Bates-stamped MOR 114-15, which were referenced in paragraph 30 of Plaintiff's Rule 56.1 Counter-Statement of Material Facts In Response to County Defendants' Rule 56.1 Statement ("Pl. 56.1 Statement") and in paragraphs 5 and 19 of Plaintiff's Rule 56.1 Counter-Statement of Material Facts in Dispute in Response to Defendant Nassau Local 830 Civil Service Employee's Association, Inc.'s Rule 56.1 Statement ("Pl. 56.1 Statement In Response to CSEA").

23. Attached hereto as Exhibit 22 is a true and correct copy of the document Bates-stamped NC 91, which was referenced in paragraphs 32, 35 and 36 of Pl. 56.1 Statement.

24. Attached hereto as Exhibit 23 is a true and correct copy of the document Bates-stamped CSEA 96, which was referenced in paragraphs 33, 37, 38, 51 and 109 of Pl. 56.1 Statement and paragraph 10 of Pl. 56.1 Statement In Response to CSEA.

25. Attached hereto as Exhibit 24 is a true and correct copy of the document Bates-stamped MOR 116, which was referenced in paragraph 42 of Pl. 56.1 Statement and in paragraphs 19 and 41 of Pl. 56.1 Statement In Response to CSEA.

26. Attached hereto as Exhibit 25 is a true and correct copy of the document Bates-stamped NC 171, which was referenced in paragraphs 42, 47, 159, 160, 162 and 174 of Pl. 56.1 Statement and in paragraphs 10 and 41 of Pl. 56.1 Statement In Response to CSEA.

27. Attached hereto as Exhibit 26 is a true and correct copy of the document Bates-stamped NC 5766, which was referenced in paragraphs 42 and 46 of Pl. 56.1 Statement and in paragraph 10 of Pl. 56.1 Statement In Response to CSEA.

28. Attached hereto as Exhibit 27 is a true and correct copy of the document Bates-stamped NC 5793, which was referenced in paragraphs 42 and 46 of Pl. 56.1 Statement and in paragraph 10 of Pl. 56.1 Statement In Response to CSEA.

29. Attached hereto as Exhibit 28 is a true and correct copy of the document Bates-stamped NC 6430, which was referenced in paragraphs 42, 46 and 47 of Pl. 56.1 Statement and in paragraph 10 of Pl. 56.1 Statement In Response to CSEA.

30. Attached hereto as Exhibit 29 is a true and correct copy of the document Bates-stamped NC 7039, which was referenced in paragraphs 42, 46 and 47 of Pl. 56.1 Statement and in paragraph 10 of Pl. 56.1 Statement In Response to CSEA.

31. Attached hereto as Exhibit 30 is a true and correct copy of the document Bates-stamped NC 7044, which was referenced in paragraphs 42, 46 and 47 of Pl. 56.1 Statement and in paragraph 10 of Pl. 56.1 Statement In Response to CSEA.

32. Attached hereto as Exhibit 31 is a true and correct copy of the document Bates-stamped NC 7046, which was referenced in paragraphs 42, 46 and 47 of Pl. 56.1 Statement and in paragraph 10 of Pl. 56.1 Statement In Response to CSEA.

33. Attached hereto as Exhibit 32 is a true and correct copy of the document Bates-stamped NC 7078, which was referenced in paragraphs 42, 46 and 47 of Pl. 56.1 Statement and in paragraph 10 of Pl. 56.1 Statement In Response to CSEA.

34. Attached hereto as Exhibit 33 is a true and correct copy of the document Bates-stamped NC 7093, which was referenced in paragraphs 42, 46 and 47 of Pl. 56.1 Statement and in paragraph 10 of Pl. 56.1 Statement In Response to CSEA.

35. Attached hereto as Exhibit 34 is a true and correct copy of the document Bates-stamped NC 7095, which was referenced in paragraphs 42, 46 and 47 of Pl. 56.1 Statement and in paragraph 10 of Pl. 56.1 Statement In Response to CSEA.

36. Attached hereto as Exhibit 35 is a true and correct copy of the document Bates-stamped NC 7106, which was referenced in paragraphs 42, 46 and 47 of Pl. 56.1 Statement and in paragraph 10 of Pl. 56.1 Statement In Response to CSEA.

37. Attached hereto as Exhibit 36 is a true and correct copy of the document Bates-stamped MOR 113, which was referenced in paragraphs 47, 160, and 162 of Pl. 56.1 Statement and in paragraphs 10, 19 and 41 of Pl. 56.1 Statement In Response to CSEA.

38. Attached hereto as Exhibit 37 is a true and correct copy of the document Bates-stamped NC 94, which was referenced in paragraphs 47, 160 and 162 of Pl. 56.1 Statement and in paragraphs 10, 19 and 41 of Pl. 56.1 Statement In Response to CSEA.

39. Attached hereto as Exhibit 38 is a true and correct copy of the document Bates-stamped NC 103, which was referenced in paragraphs 47, 160 and 163 of Pl. 56.1 Statement and in paragraphs 10 and 41 of Pl. 56.1 Statement In Response to CSEA.

40. Attached hereto as Exhibit 39 is a true and correct copy of the document Bates-stamped NC 105, which was referenced in paragraphs 47, 160 and 162 of Pl. 56.1 Statement and in paragraphs 10 and 41 of Pl. 56.1 Statement In Response to CSEA.



41. Attached hereto as Exhibit 40 is a true and correct copy of the document Bates-stamped NC 152, which was referenced in paragraphs 47 and 160 of Pl. 56.1 Statement.

42. Attached hereto as Exhibit 41 is a true and correct copy of the document Bates-stamped NC 172, which was referenced in paragraphs 47, 160 and 162 of Pl. 56.1 Statement and in paragraphs 10 and 41 of Pl. 56.1 Statement In Response to CSEA.

43. Attached hereto as Exhibit 42 is a true and correct copy of the document Bates-stamped NC 888, which was referenced in paragraphs 47, 160 and 162 of Pl. 56.1 Statement and in paragraphs 10 and 41 of Pl. 56.1 Statement In Response to CSEA.

44. Attached hereto as Exhibit 43 is a true and correct copy of the document Bates-stamped NC 7085, which was referenced in paragraph 47, 159, 160 and 162 of Pl. 56.1 Statement and in paragraph 41 of Pl. 56.1 Statement In Response to CSEA.

45. Attached hereto as Exhibit 44 is a true and correct copy of the document Bates-stamped NC 93, which was referenced in paragraphs 50 and 161 of Pl. 56.1 Statement

46. Attached hereto as Exhibit 45 is a true and correct copy of the document Bates-stamped NC 75, which was referenced in paragraphs 62, 63, 64 and 169 of Pl. 56.1 Statement and in paragraph 41 of Pl. 56.1 Statement In Response to CSEA.

47. Attached hereto as Exhibit 46 is a true and correct copy of the document Bates-stamped NC 668, which was referenced in paragraphs 63 and 64 Pl. 56.1 Statement.

48. Attached hereto as Exhibit 47 is a true and correct copy of documents Bates-stamped NC 5068-76, which were referenced in paragraph 65 of Pl. 56.1 Statement.

49. Attached hereto as Exhibit 48 is a true and correct copy of the document Bates-stamped NC 13598, which was referenced in paragraphs 66 and 67 of Pl. 56.1 Statement.

50. Attached hereto as Exhibit 49 is a true and correct copy of the document Bates-stamped NC 13618, which was referenced in paragraph 67 of Pl. 56.1 Statement.

51. Attached hereto as Exhibit 50 is a true and correct copy of the document Bates-stamped MOR 64, which was referenced in paragraph 82 of Pl. 56.1 Statement.

52. Attached hereto as Exhibit 51 is a true and correct copy of the document Bates-stamped MOR 69, which was referenced in paragraph 82 of Pl. 56.1 Statement.

53. Attached hereto as Exhibit 52 is a true and correct copy of the document Bates-stamped MOR 76, which was referenced in paragraphs 82 of Pl. 56.1 Statement.

54. Attached hereto as Exhibit 53 is a true and correct copy of the document Bates-stamped MOR 77, which was referenced in paragraph 82 of Pl. 56.1 Statement.

55. Attached hereto as Exhibit 54 is a true and correct copy of the document Bates-stamped MOR 80, which was referenced in paragraph 82 of Pl. 56.1 Statement.

56. Attached hereto as Exhibit 55 is a true and correct copy of the document Bates-stamped MOR 83, which was referenced in paragraph 82 of Pl. 56.1 Statement.

57. Attached hereto as Exhibit 56 is a true and correct copy of the document Bates-stamped MOR 85, which was referenced in paragraph 82 of Pl. 56.1 Statement.

58. Attached hereto as Exhibit 57 is a true and correct copy of the document Bates-stamped MOR 86, which was referenced in paragraph 82 of Pl. 56.1 Statement.

59. Attached hereto as Exhibit 58 is a true and correct copy of the document Bates-stamped MOR 88, which was referenced in paragraph 82 of Pl. 56.1 Statement.

60. Attached hereto as Exhibit 59 is a true and correct copy of the document Bates-stamped MOR 92, which was referenced in paragraph 82 of Pl. 56.1 Statement.

61. Attached hereto as Exhibit 60 is a true and correct copy of the document Bates-stamped MOR 94, which was referenced in paragraph 82 of Pl. 56.1 Statement.

62. Attached hereto as Exhibit 61 is a true and correct copy of the document Bates-stamped NC 3523, which was referenced in paragraph 82 of Pl. 56.1 Statement.

63. Attached hereto as Exhibit 62 is a true and correct copy of the document Bates-stamped NC 4062, which was referenced in paragraph 82 of Pl. 56.1 Statement.

64. Attached hereto as Exhibit 63 is a true and correct copy of the document Bates-stamped NC 4704, which was referenced in paragraph 82 Pl. 56.1 Statement.

65. Attached hereto as Exhibit 64 is a true and correct copy of the document Bates-stamped NC 4707, which was referenced in paragraph 82 of Pl. 56.1 Statement.

66. Attached hereto as Exhibit 65 is a true and correct copy of the document Bates-stamped NC 4708, which was referenced in paragraph 82 of Pl. 56.1 Statement.

67. Attached hereto as Exhibit 66 is a true and correct copy of documents Bates-stamped NC 5635-46, which were referenced in paragraph 82 of Pl. 56.1 Statement.

68. Attached hereto as Exhibit 67 is a true and correct copy of documents Bates-stamped NC 7753-57, which were referenced in paragraph 82 of Pl. 56.1 Statement.

69. Attached hereto as Exhibit 68 is a true and correct copy of documents Bates-stamped NC 7782-83, which were referenced in paragraph 82 of Pl. 56.1 Statement.

70. Attached hereto as Exhibit 69 is a true and correct copy of documents Bates-stamped NC 7794-815, which were referenced in paragraph 82 of Pl. 56.1 Statement.

71. Attached hereto as Exhibit 70 is a true and correct copy of the document Bates-stamped NC 7990, which was referenced in paragraph 82 of Pl. 56.1 Statement.

72. Attached hereto as Exhibit 71 is a true and correct copy of documents Bates-stamped NC 8057-73, which were referenced in paragraph 82 of Pl. 56.1 Statement.

73. Attached hereto as Exhibit 72 is a true and correct copy of the document Bates-stamped NC 8244, which was referenced in paragraph 82 of Pl. 56.1 Statement.

74. Attached hereto as Exhibit 73 is a true and correct copy of documents Bates-stamped NC 131-32, which were referenced in paragraphs 87, 96, 101, 168 and 170 of Pl. 56.1 Statement.



75. Attached hereto as Exhibit 74 is a true and correct copy of documents Bates-stamped NC 384-85, which were referenced in paragraphs 87, 96, 101 and 168 of Pl. 56.1 Statement.

76. Attached hereto as Exhibit 75 is a true and correct copy of the document Bates-stamped CSEA 86, which was referenced in paragraph 107 of Pl. 56.1 Statement.

77. Attached hereto as Exhibit 76 is a true and correct copy of the document Bates-stamped CSEA 112, which was referenced in paragraph 108 of Pl. 56.1 Statement.

78. Attached hereto as Exhibit 77 is a true and correct copy of documents Bates-stamped MOR 995-97, which were referenced in paragraph 108 of Pl. 56.1 Statement.

79. Attached hereto as Exhibit 78 is a true and correct copy of the document Bates-stamped MOR 213 (a duplicate of which was inadvertently Bates-stamped MOR 211), which was referenced in paragraph 120 of Pl. 56.1 Statement.

80. Attached hereto as Exhibit 79 is a true and correct copy of the document Bates-stamped NC 10851, which was referenced in paragraph 152 of Pl. 56.1 Statement.

81. Attached hereto as Exhibit 80 is a true and correct copy of documents Bates-stamped NC 4933-34, which were referenced in paragraph 156 of Pl. 56.1 Statement.

82. Attached hereto as Exhibit 81 is a true and correct copy of the document Bates-stamped NC 4943, which was referenced in paragraph 159 of Pl. 56.1 Statement.

83. Attached hereto as Exhibit 82 is a true and correct copy of the document Bates-stamped MOR 113-116, which was referenced in paragraph 161 of Pl. 56.1 Statement.

84. Attached hereto as Exhibit 83 is a true and correct copy of the document Bates-stamped MOR 65, which was referenced in paragraph 164 of Pl. 56.1 Statement.

85. Attached hereto as Exhibit 84 is a true and correct copy of documents Bates-stamped NC 10749-50, which were referenced in paragraph 164 of Pl. 56.1 Statement.

86. Attached hereto as Exhibit 85 is a true and correct copy of the document Bates-stamped NC 11018, which was referenced in paragraph 166 of Pl. 56.1 Statement.

87. Attached hereto as Exhibit 86 is a true and correct copy of documents Bates-stamped NC 11191-93, which were referenced in paragraph 166 of Pl. 56.1 Statement.

88. Attached hereto as Exhibit 87 is a true and correct copy of the document Bates-stamped NC 11208, which was referenced in paragraph 166 of Pl. 56.1 Statement.

89. Attached hereto as Exhibit 88 is a true and correct copy of documents Bates-stamped NC 11225-30, which were referenced in paragraph 166 of Pl. 56.1 Statement.

90. Attached hereto as Exhibit 89 is a true and correct copy of documents Bates-stamped NC 131-132, which were referenced in paragraph 168 of Pl. 56.1 Statement.

91. Attached hereto as Exhibit 90 is a true and correct copy of documents Bates-stamped NC 384-85, which were referenced in paragraph 168 of Pl. 56.1 Statement.

92. Attached hereto as Exhibit 91 is a true and correct copy of the document Bates-stamped NC 11306, which was referenced in paragraph 172 of Pl. 56.1 Statement.

93. Attached hereto as Exhibit 92 is a true and correct copy of documents Bates-stamped NC 11963-64, which were referenced in paragraph 172 of Pl. 56.1 Statement.

94. Attached hereto as Exhibit 93 is a true and correct copy of documents Bates-stamped MOR 984-1026, which were referenced in paragraphs 1 and 8 of Pl. 56.1 Statement In Response to CSEA.

95. Attached hereto as Exhibit 94 is a true and correct copy of documents Bates-stamped CSEA 83-185, which were referenced in paragraph 1 of Pl. 56.1 Statement In Response to CSEA.

96. Attached hereto as Exhibit 95 is a true and correct copy of the document Bates-stamped NC 889, which was referenced in paragraph 10 of Pl. 56.1 Statement In Response to CSEA.

97. Attached hereto as Exhibit 96 is a true and correct copy of the document Bates-stamped NC 5719, which was referenced in paragraph 10 of Pl. 56.1 Statement In Response to CSEA.

98. Attached hereto as Exhibit 97 is a true and correct copy of documents Bates-stamped CSEA 206-207, which were referenced in paragraph 22 of Pl. 56.1 Statement In Response to CSEA.

99. Attached hereto as Exhibit 98 is a true and correct copy of the document Bates-stamped CSEA 203, which was referenced in paragraph 34 of Pl. 56.1 Statement In Response to CSEA.

100. Attached hereto as Exhibit 99 is a true and correct copy of the document Bates-stamped NC 493.

101. Attached hereto as Exhibit 100 is a true and correct copy of documents Bates-stamped NC 4709-4801.

102. Attached hereto as Exhibit 101 is a true and correct copy of the document Bates-stamped MOR 76.

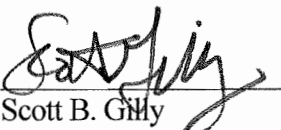
103. Attached hereto as Exhibit 102 is a true and correct copy of the document Bates-stamped NC 165.

104. Attached hereto as Exhibit 103 is a true and correct copy of documents Bates-stamped NC 11963-11964.

105. Attached hereto as Exhibit 104 is a true and correct copy of the document Bates-stamped NC 11262.

106. For the convenience of the Court and the parties, attached hereto is also an index of the documents that were produced in discovery in this case and are cited in Pl. 56.1 Statement and Pl. 56.1 Statement in Response to CSEA with the documents' corresponding exhibit numbers.

Dated: New York, New York  
February 11, 2008

  
Scott B. Gilly

**INDEX OF DOCUMENTS PRODUCED IN DISCOVERY THAT ARE CITED IN PL. 56.1  
STATEMENT AND PL. 56.1 STATEMENT IN RESPONSE TO CSEA**

<b>Documents Cited in Pl. 56.1 Statement</b>	<b>Exhibit Number (attached to Gilly Decl.)</b>
NC 75	Exhibit 45
NC 91	Exhibit 22
NC 93	Exhibit 44
NC 94	Exhibit 37
NC 103	Exhibit 38
NC 105	Exhibit 39
NC 131-132	Exhibit 73
NC 152	Exhibit 90
NC 171	Exhibit 25
NC 172	Exhibit 41
NC 384-385	Exhibit 73
NC 668	Exhibit 46
NC 888	Exhibit 42
NC 3523	Exhibit 61
NC 4062	Exhibit 62
NC 4704	Exhibit 63
NC 4707	Exhibit 64
NC 4708	Exhibit 65
NC 4933-4934	Exhibit 80
NC 4943	Exhibit 81
NC 5068-5076	Exhibit 47
NC 5635-5646	Exhibit 66
NC 5766	Exhibit 26
NC 5793	Exhibit 27
NC 6430	Exhibit 28
NC 7039	Exhibit 29
NC 7044	Exhibit 30
NC 7046	Exhibit 31

NC 7078	Exhibit 32
NC 7085	Exhibit 43
NC 7093	Exhibit 33
NC 7095	Exhibit 34
NC 7106	Exhibit 35
NC 7753-7757	Exhibit 67
NC 7782-7783	Exhibit 68
NC 7794-7815	Exhibit 69
NC 7990	Exhibit 70
NC 8057-73	Exhibit 71
NC 8244	Exhibit 72
NC 10749-10750	Exhibit 84
NC 10851	Exhibit 79
NC 11018	Exhibit 85
NC 11191-11193	Exhibit 86
NC 11208	Exhibit 87
NC 11225-11230	Exhibit 88
NC 11306	Exhibit 91
NC 11963-11964	Exhibit 92
NC 13598	Exhibit 48
NC 13618	Exhibit 49
MOR 64	Exhibit 50
MOR 65	Exhibit 84
MOR 69	Exhibit 51
MOR 76	Exhibit 52
MOR 77	Exhibit 53
MOR 80	Exhibit 54
MOR 83	Exhibit 55
MOR 85	Exhibit 56
MOR 86	Exhibit 57
MOR 88	Exhibit 58



MOR 92	Exhibit 59
MOR 94	Exhibit 60
MOR 113	Exhibit 36
MOR 114-115	Exhibit 21
MOR 116	Exhibit 24
MOR 211; MOR 213 (duplicate of MOR 211)	Exhibit 78
MOR 995-997	Exhibit 77
CSEA 86	Exhibit 75
CSEA 96	Exhibit 23
CSEA 112	Exhibit 76
<b>Documents Cited in Pl. 56.1 Statement in Response to CSEA</b>	<b>Exhibit Number (attached to Gilly Decl.)</b>
NC 889	Exhibit 95
NC 5719	Exhibit 96
MOR 984-1026	Exhibit 93
CSEA 83-185	Exhibit 94
CSEA 203	Exhibit 98
CSEA 206-207	Exhibit 97